

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff	)	The Honorable Liam O'Grady
v.	)	
	)	
KIM DOTCOM, et al.,	)	Criminal Action No. 1:12-CR-3
	)	
Defendants	)	

**[PROPOSED] RENEWAL OF SPECIALLY APPEARING DEFENDANT  
MEGAUPLOAD LIMITED'S REQUEST FOR DISMISSAL  
OF THE INDICTMENT WITHOUT PREJUDICE**

Specially appearing Defendant Megaupload Limited respectfully renews its request—made at oral argument before this Court on July 27, 2012—to dismiss the indictment without prejudice until such time as the Government is able to serve Megaupload with a criminal summons in accordance with Federal Rule of Criminal Procedure 4.

The grounds supporting this Renewal are stated with particularity in the concurrently filed Memorandum in Support of the Renewal of Specially Appearing Defendant Megaupload Limited's Request for Dismissal of the Indictment Without Prejudice.

Respectfully submitted,

/s/ Heather H. Martin

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 10, 2012, the foregoing [PROPOSED] RENEWAL OF SPECIALLY APPEARING DEFENDANT MEGAUPLOAD LIMITED'S REQUEST FOR DISMISSAL OF THE INDICTMENT WITHOUT PREJUDICE was filed and served electronically by the Court's CM/ECF system upon all registered users.

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	)	
Defendants	)	

**[PROPOSED] ORDER**

UPON CONSIDERATION of the renewal filed by specially appearing defendant Megaupload Limited and for the reasons stated in support thereof, it is hereby:

ORDERED that the renewal on behalf of Megaupload Limited be granted and that the above-reference indictment be dismissed without prejudice until such time as Megaupload Limited can be served with a criminal summons.

Dated: October \_\_\_, 2012

\_\_\_\_\_  
Judge Liam O'Grady  
United States District Judge